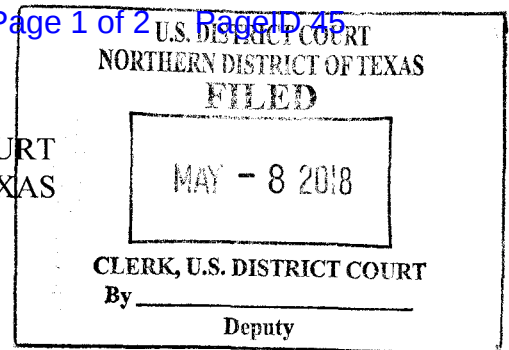


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION



UNITED STATES OF AMERICA

§  
§  
§  
§  
§

VS.

NO. 4:18-CR-069-A

JOSE ROSALES, JR.

**REPORT OF ACTION AND RECOMMENDATION ON PLEA  
BEFORE THE UNITED STATES MAGISTRATE JUDGE**

This Report and Recommendation is submitted to the court pursuant to 28 U.S.C. § 636(b)(3). This case has been referred by the United States district judge to the undersigned for the taking of a guilty plea. The parties have consented to appear before a United States magistrate judge for these purposes.

Defendant, **JOSE ROSALES, JR.**, appeared with counsel on May 8, 2018, before the undersigned United States magistrate judge, who addressed defendant personally in open court and informed defendant of, and determined that defendant understood, the admonishments prescribed by Rule 11 of the Federal Rules of Criminal Procedure.

Defendant pleaded guilty to count one of the two-count indictment filed in the above-captioned case on March 21, 2018, charging defendant with the offense of Possession with Intent to Distribute a Controlled Substance in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(D).

The undersigned magistrate judge finds the following:

1. Defendant, upon advice of counsel, has consented orally and in writing to enter this guilty plea before the undersigned, subject to final approval and sentencing by the presiding district judge;

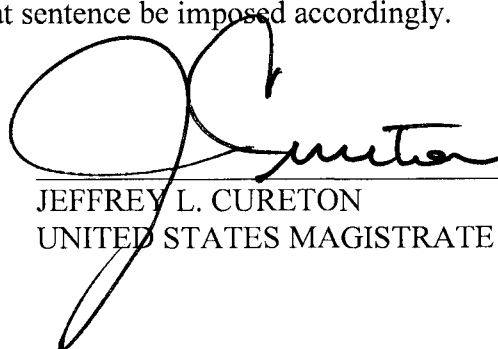
**Report of Action and Recommendation On Plea  
Before the United States Magistrate Judge  
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2. Defendant fully understands the nature of the charges against him and the penalties to which defendant is subjecting himself by a plea of guilty to those charges;
3. Defendant understands all the constitutional and statutory rights he has if defendant were not to plead guilty, and defendant wishes to waive these rights, including the right to a trial by jury and the right to appear before a United States district judge to enter a plea of guilty;
4. Defendant's plea of guilty is made freely and voluntarily;
5. Defendant is competent to enter this plea of guilty;
6. There is a factual basis for defendant's plea of guilty; and
7. The ends of justice are served by acceptance of defendant's plea of guilty.

Although I have conducted these proceedings, accepted defendant's plea of guilty, and pronounced defendant guilty in open court, upon defendant's consent and the referral from the United States district judge, that judge has the power to review my actions in this proceeding and possesses final decision making authority. Thus, if defendant has any objections to the findings or conclusions in this Report and Recommendation, or any other action of the undersigned, defendant should make those known to the United States district judge within fourteen days of today.

I recommend that defendant's plea of guilty be accepted and that defendant be adjudged guilty by the United States district judge and that sentence be imposed accordingly.

Signed May 8, 2018.



JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE